

REMARKS

Claims 1-10 are all the claims pending in the application.

Priority Documents

Applicants note that the Examiner has acknowledged the claim for foreign priority, and seems to indicate that the priority documents filed September 12, 2001, have been received. However, the Examiner did not check box 13(a) on the Office Action Summary page. Accordingly, Applicants seek clarification from the Examiner by asking that the Examiner reissue an updated Office Action Summary page with checked boxes 13 and 13(a) to indicate that all of the certified copies of the priority documents have been received.

Formal Matters - IDS

Applicants further note that the Examiner has checked the box indicating that an initialed Form PTO-1449 was attached to the Office Action. However, no such form was attached or received. Therefore, Applicants request a copy of the initialed Form PTO-1449 which was filed with the IDS on March 28, 2001.

Specification

The Examiner has objected to the Title of the Invention and required a new Title. Applicants have amended the title for clarification. Applicants request reconsideration and withdrawal of the objection to the title.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/818,573

At paragraph 3 of the Office Action, the Examiner objected to the abstract of the disclosure because the abstract allegedly contains the word “comprising”. However, no word “comprising” occurs in the abstract. Please clarify your objection as to this wording, if the objection was not in error. Applicants note that the word “comprises” exists at line 4 of the abstract, and the abstract has been amended to replace “comprises” with the word --contains--. Applicants respectfully submit that the abstract fully complies with 37 C.F.R. § 1.72 and MPEP § 608.01(b). Applicants request reconsideration and withdrawal of the objection to the wording of the abstract.

Claim Rejection - 35 U.S.C. § 112

Claim 8 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants have amended the dependency of Claim 8 so as to depend from Claim 1. However, Applicants note that the modulus of elasticity of a member for the electroluminescent device is defined in Claim 8, whereas the modulus of elasticity of an adhesion member is defined in Claim 7. Furthermore, Applicants have amended Claim 8 to specify a range for the modulus of elasticity based on a preferred upper limit disclosed at page 4 of the Specification. Applicants request reconsideration and withdrawal of the rejection to Claim 8 under 35 U.S.C. § 112.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1, 2 and 10 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kawami, US Patent 5,882,761. The rejection is respectfully traversed.

For “anticipation” under 35 U.S.C. § 102, the reference must describe, either explicitly or inherently, every element/limitation of the Applicants’ claims.

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Applicants have amended Claim 1 to further define the present invention by incorporating therein a sheet member having a gas permeable portion covering said removing agent originally claimed in Claim 2. No new matter has been added.

Kawami, as cited by the Examiner, describes, in column 5, lines 35-51 thereof, that the drying substance is fixed on the internal surface of the glass sealing case by use of a bonding agent. Applicants state that Kawami neither describes nor suggests a sheet member having a gas permeable portion covering a removing agent. Furthermore, Applicants state that Kawami neither describes nor suggests a member for an electroluminescent device, comprising: a removing agent for removing a predetermined gas component; adhesion member fixed to the removing agent; and a sheet member having a gas permeable portion covering said removing agent. Accordingly, Applicants request that the Examiner withdraw the rejection of Claims 1, 2 and 10 under 35 U.S.C. § 102(b).

Furthermore, the direct contact between the removing agent and a laminate (an anode, an organic light emitting layer, and a cathode) can be prevented by the structure of covering the removing agent with the sheet member having the gas permeable portion. The direct contact between the removing agent and the laminate has an adverse effect on the luminance and luminous uniformity. Kawami is silent about the above effect of the present invention. Therefore, Applicants request that the Examiner withdraw the rejection of Claims 1, 2 and 10 under 35 U.S.C. § 102(b).

Claim Rejections - 35 U.S.C. § 103

Dependent Claims 3-4, 5-6 and 7-9 have been rejected under 35 U.S.C. § 103 as being unpatentable over Kawami in view of three separate secondary references. The rejection is respectfully traversed based on their dependency from Claim 1, newly amended above. The

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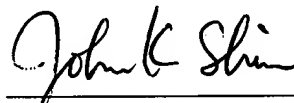
dependent claims are patentable for the same reasons as set forth above covering Claim 1. The secondary references do not overcome the deficiencies in the primary reference, Kawami.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

Date: December 26, 2002

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE TITLE:

The title is changed as follows:

MEMBER FOR ELECTROLUMINESCENT DEVICE CONTAINING REMOVING AGENT AND
ELECTROLUMINESCENT DEVICE CONTAINING THE SAME

IN THE CLAIMS:

Claim 2 is canceled without prejudice or disclaimer.

The claims are amended as follows:

1. (Amended) A member for an electroluminescent device[s], comprising: a removing agent for removing a predetermined gas component; [and] an adhesion member fixed to the removing agent; and a sheet member having a gas permeable portion covering said removing agent.

3. (Amended) The member for an electroluminescent device[s] as claimed in Claim 1 [2], wherein said gas permeable portion is [being] composed of a porous material of polytetrafluoroethylene.

4. (Amended) The member for an electroluminescent device[s] as claimed in Claim 1 [2], wherein said gas permeable portion is [being] composed of a porous material of a polymer having a crystal structure.

5. (Amended) The member for an electroluminescent device[s] as claimed in Claim 1 [2], wherein said gas permeable portion is [being] composed of a porous material of a thermoplastic resin.

6. (Amended) The member for an electroluminescent device[s] as claimed in Claim 5, wherein said thermoplastic resin is [being] a polyolefin resin.

7. (Amended) The member for an electroluminescent device[s] as claimed in Claim 1, wherein said adhesion member has a [having the] modulus of elasticity within the range of from 1×10^3 to 1×10^{10} Pa at 25°C

8. (Amended) The member for an electroluminescent device[s] as claimed in Claim 1 [7], wherein said member for an electroluminescent device has a [the] modulus of elasticity [thereof being] within the range of from 1 MPa [or higher] to 1×10^6 MPa at 25°C.

9. (Amended) The member for an electroluminescent device[s] as claimed in Claim 1, wherein the thickness of said member for an electroluminescent device is [thereof being] 5 mm or less.

10. (Amended) An electroluminescent device containing a member for an electroluminescent device[s] comprising a removing agent for removing a predetermined gas component, [and] an adhesion member fixed to the removing agent, and a sheet member having a gas permeable portion covering said removing agent.

IN THE ABSTRACT OF DISCLOSURE:

Please delete the abstract and replace it with the following new abstract:

[The object of the present invention is to provide a] A member for an electroluminescent device [EL devices] permitting a production cost reduction and an electroluminescent [EL] device containing the same. The [A] member for an electroluminescent device contains [EL devices comprises] a removing agent for removing a predetermined gas component and an adhesion member fixed to the removing agent.